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In re Application of :  
Allamanche et al :  
PCT No.: PCT/EP99/09978 :  
Application No: 09/914,371 :  
Int. Filing Date: 15 December 1999 : COMMUNITION  
Priority Date: 24 February 1999 :  
Attorney's Docket No.: SCHO0064 :  
For: Device and Method for Producing :  
An Encoded Audio and/or Video data Stream :

This application is before the PCT Legal Office for consideration of matters under 35 U.S.C. 371.

**BACKGROUND**

In a decision from this Office on 11 September 2003, the petition under 37 CFR 1.47(a) filed on 24 July 2003 was moot since the declaration submitted was signed by all the inventors. However, the declaration of the inventors was not accepted because it was improperly altered.

On 12 December 2003, applicants' filed a "RESPONSE TO DECISION ON PETITION UNDER 37 CFR 1.47(a)," which included a copy of the original declaration and second declaration that included the signature of Niels Rump. However, the second declaration is improper because both sides of the declaration are written. 37 CFR §1.52(a), states that papers that are to become part of permanent Patent and Trademark Office records...(iii) written on only one side in portrait orientation. Accordingly, the second submitted declaration (written on both sides) needs to be separate into two pages written on one side only.

**CONCLUSION**

For the reasons above, the application may not enter into national stage processing at this time.

A proper response to this communication is a new declaration, which must be filed within TWO (2) MONTHS from the mail date of this communication. Failure to respond will result in the abandonment of the application. Extensions of time are available under 37 CFR 1.136(a).

Any further correspondence with respect to this matter should be addressed to the Mail Stop PCT, Commissioner for Patents, Office of PCT Legal Administration, P.O. Box 1450, Alexandria, Virginia 22313-1450, with the contents of the letter marked to the attention of the Office of PCT Legal Administration.



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